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FILED
JUN 16 2006
OFFICE OF THE CLERK
SUPREME COURT, U.S.

No. 05-1406

IN THE

SUPREME COURT OF THE UNITED STATES

SHEILA DAVIS,

Petitioner,

v.

POLK COUNTY SHERIFF'S OFFICE,

Respondent.

On Petition For A Writ Of Certiorari To The United States Court Of Appeals For The Eleventh Circuit

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REPLY BRIEF IN SUPPORT OF PETITION FOR WRIT OF CERTIORARI

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TABLE OF CONTENTS

Page

INTRODUCTION 1
REASONS FOR GRANTING THE WRIT 1
CONCLUSION 3

TABLE OF AUTHORITIES

Page

CONSTITUTION

FL Const. Article 1§ 2 2

STATUTUES

28 U.S.C. § 1254(1) 1

RULES

Title VII of the Civil Rights Act of 1964 1

Sup. Ct. R. 10(c) 1

INTRODUCTION

The decision of the Eleventh Circuit should not be sustained, because Petitioner presented satisfactory proof which is evidence that petitioner had satisfied what was previously required to file a timely filed charge. Nevertheless, to bring suit and include any matter alleged in the charge or, to the extent permitted by court decisions. (See EEOC's "Notice of Suit Rights" to Petitioner).

Respondent's Brief in Opposition to the Petition for Writ Of Certiorari clearly demonstrates why the Petition should be granted by stating "It is well established that an individual filing suit under Title VII of the Civil Rights Act of 1964, as amended, must timely file a charge of discrimination." EEOC never stated that Petitioner filed an untimely charge.

REASONS FOR GRANTING THE WRIT

An important question of federal law needs to be settled by this court, pursuant to Supreme Court Rule 10(c). This court has jurisdiction pursuant to 28 U.S.C. § 1254(1).

Petitioner has evidenced within her Petition for Writ of Certiorari her reasons for granting the review. Petitioner states the words "frivolous" and/or "malicious" doesn't apply to her. Several wrongful acts were committed by Respondent, such as wrongful termination of employment, defamation of character and slander, disparate treatment, and harassment, which concluded that it was all racial and dominant, because of her membership in a protected group

that led to the adverse employment action of termination. Therefore complaint was amended to racial discrimination.

Petitioner contends that there's nothing wrong, nor frivolous, nor malicious in analyzing the harm done to her and becoming fully aware of how she was truly discriminated against for her trying to exercise her rights under the Constitution of the State of Florida, Article 1 § 2, since the burden of proof lies upon petitioner.

Petitioner proceeds that she may not have provided the most efficient representation as pro se, but the facts, harm and memories remain with the petitioner. Petitioner states that Certiorari shouldn't be denied because of a typo and/or clerical error of her amended complaint which reads "8. I filed charges with the Equal Employment Opportunity Commission regarding Defendant's alleged discriminatory conduct on or about May or June 2003." Petitioner contends that the alleged discrimination occurred on or about January – May 1998. Petitioner filed charges with FCHR October 7, 1998 and requested substantial weight review within 15 days through EEOC in March 2003, for this was petitioner's other alternative if she didn't want to appeal FCHR's decision within 30 days. Petitioner was issued a "Notice of Suit Rights" from EEOC in December 2003.

January 2004, Petitioner followed along with the district court's step-by-step guide, and was unaware that she typed an error (clerical), concerning the agency's names and dates. The district court states that they directed Plaintiff/Petitioner to notify the court of the findings of the local agency which investigated Plaintiff's/Petitioner's claim, but Plaintiff/Petitioner has not done so, but truth is, the Plaintiff/Petitioner never received an order stating this. Petitioner contends that she would've never withheld this

type of evidence (findings of local agency who investigated claim) from the court, for it's evidence that a timely charge was filed in order to proceed to another level of her claim.

Petitioner contends that this court should grant the writ for careful review. Respondent should not be allowed to discriminate nor abuse their authority any longer against employees, inmates, nor anyone in society. This court should review to stop injustice from prevailing towards petitioner as well as others who, may go through the same or similar legal action as petitioner, someday, if they're not restrained by intimidation or inferiority to pursue justice. Nevertheless, this court should carefully review all evidence that has been presented by petitioner.

Petitioner states that for the record, she has analyzed memos and reports that are relevant to her claim, which proves racial discrimination and dominance from respondent, as well as their untruthfulness.

CONCLUSION

The court should grant this petition and reinforce the importance and respect of equal employment opportunity.

Respectfully Submitted,

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